

IN THE CIRCUIT COURT FOR THE CITY OF ST. LOUIS
STATE OF MISSOURI

RICHARD WHITE; and)
SHERMAN HAWTHORNE)
)
Plaintiffs,)
)
v.)
)
RISING STAR M. B. CHURCH;)
)
SERVE Registered Agent:)
)
 David P. Weiss)
 600 Washington Ave.)
 St. Louis, MO 63101)
)
ERNEST GARRETT JR.;)
)
SERVE: 35 Club Grounds North Dr.)
 Florissant, MO 63033)
)
CHARLES HALEY;)
)
SERVE: 3828 DeTonty St., Apt. A)
 St. Louis, MO 63110)
)
DAVID L. WHITE)
)
SERVE: 1830 Cambridge Lane)
 St. Louis, MO 63147)
)
ALPHONSO IVY)
)
SERVE: 11707 Vizcaya Ct.)
 Florissant, MO 63033)
)
LEHMAN A. TURNER, JR.)
)
SERVE: 4764 Tennessee Ave.)
 St. Louis, MO 63111)
)
DAVID LONG)
)

SERVE: 543 S. Douglas Ave.)
Belleville, IL 62220)
)
 LAMAR E. BREW)
)
SERVE: 3965 Nara Dr.)
Florissant, MO 63033)
)
 GEORGE ROBINSON; and)
)
SERVE: 71 Greendale Dr.)
Normandy, MO 63121)
)
 PETER LEWIS)
)
SERVE: 6 Country Lake Ct.)
St. Peters, MO 63376)
)
 Defendants.)

PETITION

COME NOW, Plaintiffs RICHARD WHITE and SHERMAN HAWTHORNE (collectively, “Plaintiffs”), by and through their undersigned counsel, and for their claims against Defendants RISING STAR M. B. CHURCH, ERNEST GARRETT JR., CHARLES HALEY, DAVID L. WHITE, ALPHONSO IVY, LEHMAN A. TURNER, JR., DAVID LONG, LAMAR E. BREW, GEORGE ROBINSON, and PETER LEWIS (each named defendant may be referred to herein collectively as “Defendants”), state to the Court as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. Plaintiffs are currently, and/or were at all times relevant, members of the Rising Star Missionary Baptist Church, located at 3424 Lasalle St, St. Louis, Missouri 63104 (“Rising Star” or the “Church”).
2. Defendant Rising Star is, and was at all times relevant, a non-profit religious organization with its principal place of business and operations in the City of St. Louis, State of Missouri.

3. Defendant Ernest Garrett Jr. (“Defendant Garrett”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as pastor and principal executive officer. Defendant Garrett is sued individually and in his capacity as agent/officer of Defendant Rising Star.

4. Defendant Charles Haley (“Defendant Haley”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Church’s Board of Deacons. Defendant Haley is sued individually and in his capacity as agent/officer of Defendant Rising Star.

5. Defendant David L. White (“Defendant White”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Church’s Board of Deacons. Defendant White is sued individually and in his capacity as agent/officer of Defendant Rising Star.

6. Defendant Alphonso Ivy (“Defendant Ivy”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of Deacons. Defendant Ivy is sued individually and in his capacity as agent/officer of Defendant Rising Star.

7. Defendant Lehman A. Turner, Jr. (“Defendant Turner”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of Deacons. Defendant Turner is sued individually and in his capacity as agent/officer of Defendant Rising Star.

8. Defendant David Long (“Defendant Long”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of

Deacons. Defendant Long is sued individually and in his capacity as agent/officer of Defendant Rising Star.

9. Defendant Lamar E. Brew (“Defendant Brew”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of Deacons. Defendant Brew is sued individually and in his capacity as agent/officer of Defendant Rising Star.

10. Defendant George Robinson (“Defendant Robinson”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of Deacons. Defendant Robinson is sued individually and in his capacity as agent/officer of Defendant Rising Star.

11. Defendant Peter Lewis (“Defendant Lewis”) is, and was at all times relevant, an agent and/or officer of Defendant Rising Star by virtue of his role as a member of the Board of Deacons. Defendant Lewis is sued individually and in his capacity as agent/officer of Defendant Rising Star.

12. Defendants Haley, White, Ivy, Turner, Long, Brew, Robinson, and Lewis comprise the Board of Deacons of Defendant Rising Star (such individual Defendants may be referred to herein collectively as “Defendant Board of Deacons”).

13. The Board of Deacons are, and were at all times relevant, appointed by the pastor of Defendant Rising Star to manage the business and affairs of Defendant Rising Star.

14. Jurisdiction and venue are proper because all Defendants reside or are principally located in St. Louis City, Missouri and the acts and conduct complained of took place principally in St. Louis City, Missouri; some other acts and conduct complained of also having taken place in surrounding cities and counties in Missouri and Illinois.

15. Defendant Rising Star acts through its agents and/or officers, including Defendants Garrett, Haley, White, Ivy, Turner, Long, Brew, Robinson, and Lewis.

16. Defendant Rising Star operates according to its adopted corporate bylaws (“Bylaws”), a copy of which are attached and incorporated herein by this reference as **Exhibit A**.

17. The Bylaws require Defendant Rising Star be managed by its Board of Deacons, which consists of individuals appointed by the pastor.

18. The Bylaws require the Board of Deacons to recommend a pastor to Church membership, and Church membership has the sole power to elect a pastor through majority vote. The Bylaws require notice of such vote be given verbally to Church membership at the two (2) regularly scheduled Sunday services prior to such vote.

19. Defendant Rising Star, through its agents and/or officers, is obligated by its Bylaws to report on the activities and financial condition of the Church.

20. Defendant Rising Star, through its agents and/or officers, is obligated by its Bylaws to notify Church membership, including, but not limited to, Plaintiffs, of “any meeting, annual or special”, with notice coming “two (2) weeks before the date of the meeting”.

21. Defendant Rising Star, through its agents and/or officers, is obligated by its Bylaws to meet on the 3rd Saturday of each month with notice to Church membership, including, but not limited to, Plaintiffs, provided by the pastor or Board of Deacons.

22. Defendant Rising Star, through its Secretary-Treasurer, is further obligated by its Bylaws to:

- a) “Receive and give receipts for monies due and payable to the Church from any source whatsoever, and deposit all such monies in the name of the Church in such

banks, trust companies or other depositories as shall be selected in accordance with the provision of [Article V of the Bylaws].”; and

b) “keep the minutes of the members and of the Board of Deacons meetings”.

23. Pursuant to its Bylaws, Defendant Rising Star, through its agents and/or officers, “has authority to loan money of the Church to individuals in order to provide assistance to those individuals”.

24. Defendants have collectively abused their authority and purposefully failed to perform the duties, obligations and responsibilities as outlined above and set forth in the Bylaws.

25. Defendant Rising Star, through Defendant Garrett and Defendant Board of Deacons, repeatedly disregard their obligations set forth in the Bylaws, by, among other things:

- a) electing Defendant Garrett as Church pastor without proper notice given to Church membership or majority approval of Church membership;
- b) failing and refusing to call or conduct meetings of the Church membership or report on the financial well-being of the Church;
- c) failing and refusing to keep written financial records/receipts and business records/minutes;
- d) failing and refusing to disclose the duties and responsibilities of Church agents/officers;
- e) failing and refusing to inform or consult Church membership regarding important business decisions which require membership approval;
- f) making certain financial expenditures and business decisions for personal gain or based on improper personal/emotional relationships; and

g) employing intimidation, retaliation or similar threatening behavior to silence members of the Church who express concern regarding the above-mentioned behavior of Defendants.

26. Defendants' actions or inactions as stated above are in violation of the Missouri Nonprofit Corporation Act. §355 RSMo.

27. This Court, in Cause Number 034-02916, found that Defendants' long-standing practice in governing the affairs and business of the Church are at odds with both the Bylaws and Missouri law.

COUNT I – FRAUD

Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count I of their cause of action against Defendants Rising Star, Garrett and Board of Deacons state as follows:

28. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, the same as if fully set forth herein.

29. Defendants Rising Star, Garrett., and the Board of Deacons represented to Church membership that each of such Defendants would adhere to the Bylaws and always act in the best interest of the Church.

30. The representations of Defendants were false and material in nature.

31. Defendants knew the above representations were false at the time they were made.

32. Defendants made the above representations with the intent that Plaintiffs, as well as Church membership, rely upon such representations and not question the actions of Defendants.

33. Plaintiffs, as well as Church membership, were reasonably induced by the above representations to place trust in the actions and decisions of Defendant Rising Star and its agents/officers, including Defendant Garrett and Defendant Board of Deacons.

34. As a result of their reliance upon Defendants' representations, Plaintiffs have suffered financial loss and are now held captive by a Church leadership group with no intentions of acting in the best interest of its members.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, in an amount greater than \$25,000.00, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT II – MISAPPROPRIATION OF CHURCH FUNDS
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count II of their cause of action against Defendants Rising Star, Garrett and Board of Deacons state as follows:

35. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, the same as if fully set forth herein.

36. Defendant Rising Star, through Defendant Board of Deacons, is responsible for all funds of the Church, including depositing all money payable to the Church in the name of the Church.

37. Pursuant to the Bylaws, Defendant Rising Star is required to receive majority approval of Church membership prior to any sale or purchase of real estate on behalf of the Church.

38. Pursuant to the Bylaws, Defendant Board of Deacons is authorized to loan Church money to individuals “in order to provide assistance to those individuals”.

39. Defendants Rising Star, Garrett and Board of Deacons have, through fraudulent acts and omissions, extracted and misappropriated Church funds for their own personal gain by, among other things:

- a) selling property belonging to the Church—inclusive of that located at 4651 Pope Avenue, St. Louis, Missouri 63115—without consent or approval of Church membership, in violation of the Bylaws;
- b) making frequent cashback withdrawals using Church debit cards without accounting for, or reimbursing, such withdrawn funds; and/or
- c) making unauthorized payments of bills, debts, and other obligations belonging to Defendants Garrett and Board of Deacons.

40. As a direct and proximate result of Defendants’ misappropriation of Church funds, Plaintiffs and other Church members have suffered financial injury and an inability to trust Church leadership.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, in an amount greater than \$25,000.00, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys’ fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT III – BREACH OF FIDUCIARY DUTY OWED TO THE CHURCH
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count III of their cause of action against Defendants Rising Star M.B. Church, Garrett and Board of Deacons state as follows:

41. Plaintiffs re-allege and incorporate herein by reference each and every one of the foregoing paragraphs, the same as if fully set forth herein.

42. All agents and officers of Defendant Rising Star (including Defendant Garrett and each individual member of the Board of Deacons) owed a fiduciary duty to the Church to perform their duties in good faith and with such care to be in the best interest of the Church.

43. Defendants breached their fiduciary duties in one or more of the following ways:

- a) by engaging in a continuous pattern of self-dealing and acted in concert to withhold incriminating information from Church membership;
- b) by using intimidation and other scare tactics to further their fraudulent scheme by silencing any opposition from Church membership; and
- c) by removing members of the Church without cause in furtherance of the above-referenced fraudulent scheme.

44. The aforementioned breaches of fiduciary duties caused substantial loss and injury to the Church by depleting its financial assets and fostering a toxic environment for Church membership.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray for damages from Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs for said breaches of fiduciary duties, in an amount greater than \$25,000.00, and, because Defendants

intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT IV – CONSPIRACY
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count IV of their cause of action against Defendants Rising Star M.B. Church, Garrett and Board of Deacons state as follows:

45. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, the same as if fully set forth herein.

46. Defendants jointly agreed to elect Defendant Garrett as Church pastor—without proper notice given to, or approval of, Church membership—so he could use such position of authority for the benefit of each Defendant.

47. Defendants jointly agreed to engage in a pattern of self-dealing by using Church funds for their own benefit.

48. Defendants, in concert, agreed to engage in conduct which was violative of their duties and obligations as set forth in the Bylaws.

49. Defendants did in fact elect Defendant Garrett as Church pastor without proper notice given to, or approval of, Church membership.

50. Defendants did in fact engage in a pattern of self-dealing by using Church funds to pay personal expenses.

51. Defendants did in fact engage in conduct which both violated their duties and obligations set forth in the Bylaws and prevented Church membership from exercising their rights within the Church.

52. Such actions of Defendants were a breach of their obligations to perform their duties as agents/officers in good faith and with proper care directed to the best interests of the Church, and/or constituted a breach of their fiduciary duties of care and loyalty to the Church.

53. Such actions of Defendants constitute a material breach of the Church Bylaws.

54. As a result of Defendants' actions, Plaintiffs have been damaged and deprived the benefit of their membership with Defendant Rising Star.

55. As a further result of Defendants' actions, Plaintiffs no longer have confidence in the moral integrity of Church agents/officers and have been subjected to a toxic environment created by Defendants.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, in an amount greater than \$25,000.00, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT V – VIOLATION OF RICO SECTION 1962(c)
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count V of their cause of action against Defendants Rising Star M.B. Church, Garrett and Board of Deacons state as follows:

56. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, the same as if fully set forth herein.

57. Defendants, through their actions as a continuing and cohesive unit, engaged in the activities of an enterprise engaged in interstate commerce, as defined by 18 U.S.C. §1961(4) (“Enterprise”). The Enterprise went by no specific name, but the parties to the Enterprise acted as a continuing and cohesive unit with the intent to engage in a fraudulent scheme.

58. Pursuant to, and in furtherance of their fraudulent scheme, Defendants committed multiple related acts of racketeering, namely:

- a) engaging in continuous and persistent self-dealing;
- b) using Defendant Rising Star as a means of laundering money from Church membership to Defendants Garrett and Board of Deacons; and
- c) retaliating against witnesses to the aforementioned racketeering conduct.

59. The actions of Defendants as set forth above constitute a pattern of racketeering activity pursuant to 18 U.S.C. §1961(5).

60. Section 1962(c) makes it unlawful to “conduct or participate, directly or indirectly, in the conduct of an enterprise” and to “conduct such enterprise’s affairs through a pattern of racketeering activity.” 18 U.S.C. §1962(c).

61. Defendants conducted and participated, both directly and indirectly, in the conduct of the Enterprise’s affairs through the pattern of racketeering activity described above, in violation of 18 U.S.C. §1962(c).

62. The primary objectives of the Enterprise were to:

- a) benefit Defendants Garrett and Board of Deacons financially through the payment of personal expenses using Church funds;

- b) benefit Defendants Garrett and Board of Deacons financially by allowing each to maintain their respective positions of authority within the Church despite repeated failure to perform duties and obligations required by them; and/or
- c) benefit the Enterprise as a whole by allowing Defendants to collectively domineer a non-profit organization through a fraudulent scheme for their financial benefit and personal gain.

63. As a direct and proximate result of Defendants' racketeering activities and violations of 18 U.S.C. §1962(c), Plaintiffs and other Church members have suffered financial injury, an inability to trust Church leadership, and have been subjected to a toxic and retaliatory environment.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, including actual damages, treble damages, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT VI – VIOLATION OF RICO SECTION 1962(a)
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count VI of their cause of action against Defendants Rising Star M.B. Church, Garrett and Board of Deacons state as follows:

64. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, as well as 56-63, the same as if fully set forth herein.

65. The Enterprise engaged in activities of interstate commerce.

66. Defendants used and invested income that was derived from a pattern of racketeering activity. Specifically, Defendants repeatedly misappropriated funds of a non-profit organization for their own personal and financial benefit, and subsequently fostered a toxic environment whereby opposition to their actions resulted in retaliation.

67. The fraudulent activities listed above constitute a pattern of racketeering pursuant to 18 U.S.C. §1961(5).

68. As a direct and proximate result of Defendants' racketeering activities and violations of 18 U.S.C. §1962(a), Plaintiffs and other Church members have suffered financial injury, an inability to trust Church leadership, and have been subjected to a toxic and retaliatory environment.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, including actual damages, treble damages, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

COUNT VII – VIOLATION OF RICO SECTION 1962(d)
Defendants Rising Star, Garrett and Board of Deacons

COME NOW, Plaintiffs Richard White and Sherman Hawthorne, and for Count VII of their cause of action against Defendants Rising Star M.B. Church, Garrett and Board of Deacons state as follows:

69. Plaintiffs re-allege and incorporate herein by reference paragraphs 1-27, 56-63, and 64-68, the same as if fully set forth herein.

70. As set forth above, Defendants agreed and conspired to violate 18 U.S.C. §1962(a) and (c). Specifically, Defendants conspired to (1) use and/or invest Church funds derived from a pattern of racketeering activity in an interstate Enterprise; and (2) conduct and participate in the conduct of the Enterprise's affairs through a pattern of racketeering activity.

71. Defendants knew their predicate acts were part of a pattern of racketeering activity and agreed to commission those acts in furtherance of their fraudulent scheme described above. Such conduct constitutes a conspiracy to violate 18 U.S.C. §1962(a) and (c), in violation of 18 U.S.C. §1962(d).

72. As a direct and proximate result of Defendants' racketeering activities and violations of 18 U.S.C. §1962(d), Plaintiffs and other Church members have suffered financial injury, an inability to trust Church leadership, and have been subjected to a toxic and retaliatory environment.

WHEREFORE, Plaintiffs Richard White and Sherman Hawthorne pray that this Court make and enter judgment in their favor and against Defendants Rising Star M.B. Church, Ernest Garrett Jr. and each individual member of the Board of Deacons, jointly and severally, for such sum as is just and proper to compensate Plaintiffs, including actual damages, treble damages, and, because Defendants intentionally acted to harm the Plaintiffs without just cause, for punitive damages to deter future similar conduct, for recovery of attorneys' fees and costs incurred by

Plaintiffs, and for such other and further relief as this Court deems just and proper under the circumstances.

Respectfully Submitted,

Klar, Izsak & Stenger, LLC

By: /s/ Brian D. Klar
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BY-LAWS
PROPOSED BY THE BOARD OF DEACONS
OF
RISING STAR M. B. CHURCH

Article I
Principal Office

The principal office of the Church in the State of Missouri shall be located in St. Louis, Missouri. The Church may have such other offices, either within or without the State of Missouri, as the business of the Church may require from time to time.

Article II
Members

Section 1. Annual Meetings: The membership of the Church shall have an annual meeting on the fourth Saturday of March of each year. The Chairman of the Board of Deacons and the Treasurer shall report on the activities and financial condition of the Church

Section 2. Special Meetings: The membership of the Church may meet at any other time that the Pastor, or the Board of Deacons may determine to be appropriate. Other than for admission, reinstatement or removal of a member of the Church, no meeting of the membership is required to transact the daily business of the Church.

Section 2. Place of Meeting: The Pastor or the Board of Deacons may designate any place, either within or without the State of Missouri, as the place for any meeting of the membership. If no designation is made, the place of meeting shall be the Rising Star M.B. Church at 3424 - 26 LaSalle Street, St. Louis, Missouri.

Section 3. Notice of Meetings: The membership of the Church shall be notified of any meeting, annual or special, verbally or by written notice by the Pastor or by the Board of Deacons. Due to the fact that most members regularly participate in Sunday services, the fairest and most reasonable announcements of the meetings shall be made at the Church on the Sunday two (2) weeks before the date of the meeting. No prior notice of a meeting of the membership shall be necessary to vote on the admission, reinstatement or removal of a member of the Church.

Section 4. Quorum: There is no mandatory quorum of the membership necessary to vote on the admission, reinstatement or removal of a member of the Church. Ten percent of the membership shall be necessary to constitute a quorum for any other purpose.

Section 6. Voting: Each adult member, 18 years or older, attending a meeting shall be entitled to one vote. If any proposition is submitted to the membership for a vote, the side with the majority of votes cast shall win and that decision will constitute a valid act of the whole membership. Voice voting by the membership is permissible.

Section 7. Membership: The Pastor, or in the absence of a Pastor, the Board of Deacons, shall determine the qualifications of a member of the Church, for purposes of admission, reinstatement or removal. These individuals shall have their names submitted to the entire membership, at a Sunday service, for a vote on the membership's approval of admitting, readmitting or removal of them as members of the Church. In the event the Pastor or the Board of Deacons shall determine that a member is no longer a suitable person to be a member of the Church, written notice of the intent to submit the members name to the membership for removal shall be given to that member at least one (1) week before the issue shall be presented to the membership for vote.

The Pastor, or in the absence of a Pastor, the Board of Deacons, shall periodically review the roster of the members of the Church to remove such individuals who are no longer qualified to be members of the Church; who are inactive in the affairs of the Church or who have joined other churches. In the event the Pastor, or in the absence of a Pastor, the Board of Deacons determines that an individual no longer is qualified to be a member of the Church, a majority vote by the members present at a regular Sunday service shall be required to remove an individual as a member.

Article III Board of Deacons

Section 1. General Powers: The business and affairs of the Church shall be managed by its Board of Deacons. The Deacons shall be appointed by the Pastor and shall serve until such time as the Pastor, or in the absence of a Pastor, the Board of Deacons, shall determine to be appropriate.

Section 2. Number, Tenure: The number of Deacons of the Church shall be fourteen, or such other number as the membership shall determine. Due to the fact that those Deacons currently serving as Deacons at the time of the adoption of these by-laws were appointed by previous Pastors, they shall continue to serve as Deacons.

Section 3. Meetings: The Board of Deacons shall meet on the 3rd Saturday of each month. Additional meetings of the Board of Deacons may be called by or at the request of the Pastor or any two Deacons. The person or persons authorized to call a meeting of the Board of Deacons may fix any place in the United States, either within or without the State of Missouri, as the place for holding any meetings of the Board of Deacons called by them. No regular time must be established for the additional meetings and the meetings may be held at any time called for by the Pastor or any two members of the Board of Deacons.

Section 4. Notice: The Chairman of the Board of Deacons shall notify the members of the Board, either verbally, by personal contact, or by written notice, within a reasonable time period in advance of the meeting, as determined by the circumstances, of any meeting of the Board of Deacons.

Section 5. Quorums: A majority of the Board of Deacons shall constitute a quorum for the transaction of business at any meeting of the Board of Deacons, provided that if less than a majority of the Deacons are present at said meeting, a majority of the Deacons may adjourn the meeting from time to time without further notice.

Section 6. Manner of Acting: The act of the majority of the Deacons present at a meeting of the Deacons at which a quorum is present shall be the act of the Board of Deacons.

Section 7. Vacancies: In case of death or resignation or disqualification of one or more of the Deacons, the Pastor may fill such vacancy or vacancies.

Section 8. Compensation: Deacons as such shall not receive any salaries for their services, but by resolution of the Board of Deacons a fixed sum for expenses of attendance, if any, may be allowed for attendance at any meeting of the Board of Deacons.

Article IV Officers

Section 1. Number: The offices of the Church shall be a Pastor, a Secretary-Treasurer, Assistant Secretary-Treasurer and such other officers as may be elected in accordance with the provisions of this article.

All officers and agents of the Church, as between themselves and the Church, shall have such authority and perform such duties in the management of the property and affairs of the Church as may be provided in the by-laws, or in the absence of such provision, as may be determined by resolution of the Board of Deacons.

Section 2. Election and Term: The Board of Deacons shall elect the officers of the Church, except the Pastor. Vacancies may be filled at any meeting of the Board of Deacons. Each officer shall hold office until his or her successor shall have been duly elected or until his or her death or until he or she shall resign or shall have been removed in the manner hereinafter provided.

Section 3. Removal: Any officer or agent elected or appointed by the Board of Deacons may be removed by the Board of Deacons whenever in its judgment the best interests of the Church would be served thereby.

Section 4. Pastor: The Pastor shall be the principal executive officer of the Church and shall in general preside at all meetings of the membership; and in general shall perform all duties as may be prescribed by the Board of Deacons from time to time.

The Board of Deacons shall recommend to the membership the name of the Pastor. The membership shall elect the Pastor, by a majority vote at which a quorum is present. Notice of the vote on a Pastor shall be given verbally to the membership at the two (2) regularly Sunday services prior to the vote.

Section 5. The Secretary-Treasurer: If required by the Board of Deacons, the Secretary-Treasurer shall give bond for the faithful discharge of his duties in such sum and with such surety or sureties as the Board of Deacons shall determine. He shall: (a) Have charge and custody of and be responsible for all funds of the Church; receive and give receipts for monies due and payable to the Church from any source whatsoever, and deposit all such monies in the name of the Church in such banks, trust companies or other depositories as shall be selected in accordance with the provision of Article V of these by-laws. (b) Keep the minutes of the members and of the Board of Deacons meetings in one or more books provided for that purpose. (c) In general, perform all the duties incident to the office of Secretary-Treasurer and such other duties as from time to time may be assigned to him by the Pastor or by the Board of Deacons.

Section 6. Assistant Secretary-Treasurer: The Assistant Secretary-Treasurer shall, if required by the Board of Deacons, give bond for the faithful discharge of his duty in such sums and with such sureties as the Board of Deacons shall determine. The Assistant Secretary-Treasurer shall perform such duties as shall be assigned to him by the Secretary-Treasurer or by the Pastor or the Board of Deacons.

Section 7: Trustees: In the event any property of the church is held in the name of any individuals as Trustees of the Church, the Board of Deacons may appoint any Successor Trustees necessary to transact any business regarding such property as authorized by the Board of Deacons.

Section 8. Salaries: The salaries of the Pastor shall be fixed from time to time by the Board of Deacons.

Article V Contracts, Loans, Checks and Deposits

Section 1. Contracts: The Board of Deacons may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Church, and such authority may be general or

confined to special instances. In the event the Board of Deacons determines it is appropriate to sell or purchase real estate that is a substantial asset of the Church, or would become a substantial asset of the Church, The Board shall receive prior approval of such sale or purchase from the majority of the members present at a meeting at a which there is a quorum.

Section 2. Loans: The Church shall not borrow any money without the consent of the Members. Such authority may be general or confined to specific instances.

The Board of Deacons has authority to loan money of the Church to individuals in order to provide assistance to those individuals, as determined by the Board to be appropriate.

Section 3. Checks, Drafts, etc.: All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Church, shall be signed by such officer or officers, agent or agents of the church and in such manner as shall from time to time be determined by resolution of the Board of Deacons.

Section 4. Deposits: All funds of the Church not otherwise employed shall be deposited from time to time to the credit of the Church in such banks, trust companies or other depositories as the Board of Deacons may select.

Article VI

Amendment of By-Laws

These by-laws may be altered, amended or repealed and new by-laws may be adopted either at any meeting of the members of the Church or at any meeting of the Board of Deacons, unless prohibited by law.

Article VII

No member or officer of the Rising star M. B. Church shall raise, collect, or solicit funds by any commercial means, such as: raffles, lotteries, gambling, auctions, selling any product or service, or any similar method. Nor shall any member or officer engage in any direct solicitation for funds or property from any person who is not a member of Rising Star M. B. Church. The sole means that Rising Star M. B. Church shall obtain any funds or property is by the voluntary contributions of the members of the Rising Star M. B. Church or purchase or sale of an asset for fair market value.

Adopted on _____

ATTEST:

Secretary- Treasurer

**IN THE CIRCUIT COURT OF ST. LOUIS CITY
STATE OF MISSOURI**

RICHARD WHITE, et al.,
Plaintiffs,
v.

RISING STAR M.B. CHURCH et. al.,
Defendants.

)
)
)
)
)
)
)

Cause No.: 2122-CC09063

MEMORANDUM TO THE COURT FOR PAYMENT OF SERVICE FEE

COMES NOW, BRIAN D. KLAR who hereby states that the required service fee of \$72.00
has been paid with this memo.

Dated this 18th day of August 2021.

Respectfully submitted,

KLAR, IZSAK & STENGER, LLC

By: /s/ Brandon J. Klar
BRANDON J. KLAR, #72884
BRIAN D. KLAR, #36430
Attorneys for Plaintiffs
1505 S. Big Bend Blvd.
St. Louis, MO 63117
Phone: (314) 863-1117
Fax: (314) 863-1118
Email: bjklar@lawsaintlouis.com
bklar@lawsaintlouis.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of August 2021, a copy of the
foregoing was filed electronically with the Clerk of the Court to be served by operation of the
Court's electronic filing system to all attorneys of record.

/s/ Brandon J. Klar



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Richard White Et Al,
Plaintiff,

vs.

Ernest Garrett Et Al,
Defendant.

Case Number: 2122-CC09063

Entry of Appearance

Comes now undersigned counsel and enters his/her appearance as attorney of record for Sherman Hawthorne, Plaintiff, in the above-styled cause.

/s/ Brian D. Klar

Brian David Klar

Mo Bar Number: 36430

Attorney for Plaintiff

1505 S. Big Bend Blvd.

St. Louis, MO 63117

Phone Number: (314) 863-1117 ext 102

bklar@lawsaintlouis.com

Certificate of Service

I hereby certify that on August 18th, 2021, a copy of the foregoing was sent through the Missouri eFiling system to the registered attorneys of record and to all others by facsimile, hand delivery, electronic mail or U.S. mail postage prepaid to their last known address.

/s/ Brian D. Klar

Brian David Klar



IN THE 22ND JUDICIAL CIRCUIT COURT, CITY OF ST LOUIS, MISSOURI

Richard White Et Al,
Plaintiff,

vs.

Ernest Garrett Et Al,
Defendant.

Case Number: 2122-CC09063

Entry of Appearance

Comes now undersigned counsel and enters his/her appearance as attorney of record for Richard White, Plaintiff, in the above-styled cause.

/s/ Brian D. Klar

Brian David Klar

Mo Bar Number: 36430

Attorney for Plaintiff

1505 S. Big Bend Blvd.

St. Louis, MO 63117

Phone Number: (314) 863-1117 ext 102

bklar@lawsaintlouis.com

Certificate of Service

I hereby certify that on August 18th, 2021, a copy of the foregoing was sent through the Missouri eFiling system to the registered attorneys of record and to all others by facsimile, hand delivery, electronic mail or U.S. mail postage prepaid to their last known address.

/s/ Brian D. Klar

Brian David Klar



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address: BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
vs.		
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Other Extraordinary Remedy		

Summons for Personal Service Outside the State of Missouri
(Except Attachment Action)

The State of Missouri to: DAVID LONG Alias: 543 S. DOUGLAS AVENUE BELLEVILLE, IL 62220 COURT SEAL OF CITY OF ST LOUIS	ST CLAIR COUNTY, IL You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action. <p align="center">August 18, 2021</p> <p align="center">_____ Date</p> <p align="center">Further Information: _____</p> <p align="right"> Clerk </p>
--	---

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)
 in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to officer making return on service of summons.

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **RIISING STAR M B CHURCH**
Alias:

DAVID P WEISS, RAGT
600 WASHINGTON AVE
SAINT LOUIS, MO 63101

SHERIFF'S FEE PAID

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Thomas Kloppeinger

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
vs.		
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ERNEST GARRETT JR

Alias:

35 CLUB GROUNDS NORTH DRIVE
FLORISSANT, MO 63033

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

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- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **CHARLES HALEY**
Alias:

3828 DETONTY ST. APT. A
ST. LOUIS, MO 63110

SHERIFF'S FEE PAID

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Thomas Kloppe

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: DAVID L WHITE

Alias:

1830 CAMBRIDGE LANE
ST. LOUIS, MO 63147

SHERIFF'S FEE PAID

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ALPHONSO IVY
Alias:

11707 VIZCUYA CT.
FLORISSANT, MO 63033

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$._____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: LEHMAN A TURNER JR
Alias:

4764 TENNESSEE AVENUE
ST. LOUIS, MO 63111


SHERIFF'S FEE PAID


CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date


Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

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- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$._____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: LAMAR BREW
Alias:

3965 NARA DRIVE
FLORISSANT, MO 63033

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Thomas Hoepfner

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$_____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **GEORGE ROBINSON**
Alias:

71 GREENDALE DRIVE
NORMANDY, MO 63121

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable


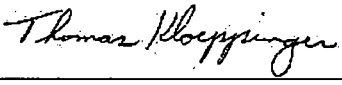
Summons \$ _____
Non Est \$ _____
Sheriff's Deputy Salary
Supplemental Surcharge \$ 10.00
Mileage \$ _____ (_____ miles @ \$ _____ per mile)
Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: PETER LEWIS Alias:		ST CHARLES COUNTY, MO
6 COUNTRY LAKE CT. ST. PETERS, MO 63376 COURT SEAL OF  CITY OF ST LOUIS	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.	
August 18, 2021 _____ Date	 _____ Clerk	
Further Information:		

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
Nature of Suit: CC Other Extraordinary Remedy	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: PETER LEWIS
Alias:

6 COUNTRY LAKE CT.
ST. PETERS, MO 63376

COURT SEAL OF



CITY OF ST LOUIS

ST CHARLES COUNTY, MO

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).

☐ other: _____

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

RECEIVED

AUG 26 2021

SHERIFF
ST. CHARLES COUNTY, MO

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$ _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

St. Charles County Sheriff's Department

201 N. Second St St. Charles, MO 63301

636-949-3010

RETURN OF SERVICE: NON-EST

Civil #: SD-SER-21-10824

**Event**

Total Fees: \$39.00
Total Payments: \$39.00
Total Balance: \$0.00
Court Case Docket Number: 2122-CC09063
Document ID: 21-SMCC-12624
Court Name: 22ND JUDICIAL CIRCUIT
Court State: MISSOURI
Court County: ST LOUIS CITY
Service Expiration Date: 09/17/2021
Court Type: Circuit Court
Civil Types: SUMMONS
Civil Document Type: Other Extraordinary Remedy
Zone: Zone 3

Party To Be Served Person (1)**LEWIS, PETER**

Personal Service Only: No
Involvement Type: Defendant
Address: 6 COUNTRY LAKE CT
City: ST PETERS
State: MISSOURI
Zip Code: 63376

Other(s) Involved (3)**GARRETT, ERNEST JR**

Involvement Type: Defendant

KLAR, BRANDON JACOB

Involvement Type: Attorney
Commonplace Name: KLAR IZSAK & STENGER LLC
Address: 1505 S BIG BEND BLVD
City: ST LOUIS
State: MISSOURI
Zip Code: 63117
Phone Number: (314)-863-1117

WHITE, RICHARD

Involvement Type: Plaintiff

Entered By (2)

Entering Clerk Officer:

Holley, Karen (225)

08/26/2021 16:30:00

St. Charles County Sheriff's Department

201 N. Second St St. Charles, MO 63301

636-949-3010

Civil #: SD-SER-21-10824



Final Disposition Officer: Hollander, Kyle (122) 08/27/2021 10:25:00

Final Disposition Signature: **Disposition History (3)**

NonEst	08/27/2021 10:58	NON-EST (WRONG/BAD ADDRESS) 8/27/21
Served	08/27/2021 10:25	Auto Dispositioned
Active	08/26/2021 16:30	Dispositioned to Default Setting

Service History (1)**Returned**

Date: 08/27/2021 10:24
Service Type: Wrong/Bad Address
Related To: LEWIS, PETER : Defendant
Officer: Hollander, Kyle 122
Outcome:
Time Spent: 00:00
Mileage: 0
Comments: COULD NOT LOCATE 6 COUNTRY LAKE ADDRESS GOES FROM 1 TO 3 THEN TO 500S
Agency: St. Charles County Sheriff's Department
Beat:
Address: 6 COUNTRY LAKE CT
City: ST PETERS
State: MISSOURI
Zip: 63376

IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	SB 9-17
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Other Extraordinary Remedy		

Summons in Civil Case

The State of Missouri to: ERNEST GARRETT JR

Alias:

35 CLUB GROUNDS NORTH DRIVE
FLORISSANT, MO 6303302 WHITT
W

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☒ delivering a copy of the summons and a copy of the petition to the defendant/respondent.☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to:

_____ (name) _____ (title)

☐ other: _____

Served at 35 CLUB GROUNDS NORTH _____ (address)

in ST LOUIS (County/City of St. Louis), MO, on 8-30-21 (date) at 1227 (time).

Tom White

Printed Name of Sheriff or Server

[Signature]

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	SB 9-17
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy	(Date File Stamp)	

Summons in Civil Case

The State of Missouri to: LAMAR BREW

Alias:

3965 NARA DRIVE
FLORISSANT, MO 6303304
WHITT
VW

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Thomas Kloppinger

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with LC NEPHEW, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title)
☐ other: _____

Served at 3965 NARA DR (address)
in ST LOUIS (County/City of St. Louis), MO, on 8-30-21 (date) at 1816 (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$_____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

**IN THE CIRCUIT COURT FOR THE CITY OF ST. LOUIS
STATE OF MISSOURI**

RICHARD WHITE; and)	
SHERMAN HAWTHORNE)	
)	
Plaintiffs,)	
)	Case No.: 2122-CC09063
v.)	
)	
RISING STAR M. B. CHURCH;)	
)	
ERNEST GARRETT JR.;)	
)	
CHARLES HALEY;)	
)	
DAVID L. WHITE)	
)	
ALPHONSO IVY)	
)	
LEHMAN A. TURNER, JR.)	
)	
DAVID LONG)	
)	
LAMAR E. BREW)	
)	
GEORGE ROBINSON; and)	
)	
PETER LEWIS)	
)	
Defendants.)	

REQUEST FOR ALIAS SUMMONS TO ISSUE

COME NOW Plaintiffs, RICHARD WHITE and SHERMAN HAWTHORNE, by and through their undersigned counsel, and requests an ALIAS SUMMONS to issue for service of the summons and Plaintiffs' Petition in this matter upon defendant, PETER LEWIS, as follows:

Peter Lewis
607 Country Lake Drive
St. Peters, MO 63376

Dated this 31st day of August, 2021.

Respectfully Submitted,

Klar, Izsak & Stenger, LLC

By: /s/ Brian D. Klar
BRIAN D. KLAR #36430
BRANDON J. KLAR #72884
Attorneys for Plaintiffs
1505 S. Big Bend Blvd.
St. Louis, MO 63117
Tel: (314) 863-1117
Fax: (314) 863-1118
Email: bklar@lawsaintlouis.com
bjklar@lawsaintlouis.com



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

8/27/21 3:41 PM

SR
9-17

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
Nature of Suit: CC Other Extraordinary Remedy	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ALPHONSO IVY

Alias:

11707 VIZCUYA CT.
FLORISSANT, MO 63033

03
CLYND
WN

ST LOUIS COUNTY SHERIFF

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021

Thomas Koppinger

Date

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.

☒ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with ALISHA-DAUGHTER, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name)

☐ other: _____

Served at 11707 VIZCUYA COURT

in ST. LOUIS (County/City of St. Louis), MO, on 8/27/21 (date) at 3:41 PM (time).

DAN CLYNE

Printed Name of Sheriff or Server

[Signature]

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI


SB
9-17

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	(Date File Stamp)
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	
Nature of Suit: CC Other Extraordinary Remedy		

Summons in Civil Case

The State of Missouri to: **GEORGE ROBINSON**
Alias: **(14) WEISER**
71 GREENDALE DRIVE
NORMANDY, MO 63121

ST LOUIS COUNTY SHERIFF

COURT SEAL OF

CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

August 18, 2021
Date

Thomas Hoepfgen
Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

☒ delivering a copy of the summons and a copy of the petition to the defendant/respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title)

☐ other: _____

Served at 71 GREENDALE DR. 63121 (address)

in STL (County) City of St. Louis, MO, on 8/27/21 (date) at 07:34 (time)

R. C. Weiser Printed Name of Sheriff or Server

R. C. Weiser Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____ Date _____ Notary Public

Sheriff's Fees, if applicable

Summons	\$	_____
Non Est	\$	_____
Sheriff's Deputy Salary		
Supplemental Surcharge	\$	10.00
Mileage	\$	_____ (_____ miles @ \$._____ per mile)
Total	\$	_____

A copy of the summons and a copy of the petition must be served on each defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

21SMCC-7590

82521
VLC

**IN THE CIRCUIT COURT FOR THE CITY OF ST. LOUIS
STATE OF MISSOURI**

RICHARD WHITE; and)	
SHERMAN HAWTHORNE)	
)	
Plaintiffs,)	
)	Case No.: 2122-CC09063
v.)	
)	
RISING STAR M. B. CHURCH;)	
)	
ERNEST GARRETT JR.;)	
)	
CHARLES HALEY;)	
)	
DAVID L. WHITE)	
)	
ALPHONSO IVY)	
)	
LEHMAN A. TURNER, JR.)	
)	
DAVID LONG)	
)	
LAMAR E. BREW)	
)	
GEORGE ROBINSON; and)	
)	
PETER LEWIS)	
)	
Defendants.)	

REQUEST FOR ALIAS SUMMONS TO ISSUE

COME NOW Plaintiffs, RICHARD WHITE and SHERMAN HAWTHORNE, by and through their undersigned counsel, and requests an ALIAS SUMMONS to issue for service of the summons and Plaintiffs' Petition in this matter upon defendant, DAVID LONG, as follows:

David Long
543 S.Douglas Ave.
Belleville, IL 62220

Dated this 14th day of September, 2021.

Respectfully Submitted,

Klar, Izsak & Stenger, LLC

By: /s/ Brian D. Klar
BRIAN D. KLAR #36430
BRANDON J. KLAR #72884
Attorneys for Plaintiffs
1505 S. Big Bend Blvd.
St. Louis, MO 63117
Tel: (314) 863-1117
Fax: (314) 863-1118
Email: bkclar@lawsaintlouis.com
bjklar@lawsaintlouis.com



St. Clair County Sheriff Department
ST. CLAIR COUNTY, ILLINOIS
JAIL MANAGEMENT INFORMATION SYSTEM
As of Thursday September 02, 2021 at 8:55 am

Richard Watson
Sheriff

AFFIDAVIT OF SERVICE

Sheriff's Number: IC2102678 Case Number: 2122-CC09063	Filed Date: Unknown Received Date: 09/02/2021 FILED SEP 16 2021
Defendant: DAVID LONG Address: 543 SOUTH DOUGLAS AVENUE BELLEVILLE, ILLINOIS 62220	Plaintiff:

SUMMONS WAS SERVED

22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY _____ DEPUTY

(A) I CERTIFY THAT I SERVED THIS SUMMONS ON THE DEFENDANT AS FOLLOWS:

___ 1. PERSONAL SERVICE: By leaving a copy of the summons and complaint with the named defendant personally.

___ 2. SUBSTITUTE SERVICE: By leaving a copy of the summons and complaint at the defendant's usual abode with some person of the family, of the age of 13 years and upwards, and informing that person of the contents thereof. Also, a copy of the summons was mailed on the _____ day of _____, 20____, in a sealed envelope with postage prepaid, addressed to the defendant at his or her usual place of abode.

_____ Said Party Refused Name:

___ 3. SERVICE ON: CORPORATION: _____ COMPANY: _____ BUSINESS: _____ PARTNERSHIP: _____

By leaving a copy of the summons and complaint (or interrogatories) with the registered agent, authorized person or partner of the defendant.

_____ Writ Served On: _____ Sex: _____ Race: _____ Age: _____

Richard Watson, Sheriff, By: _____, Deputy. Date of Service _____ **PAC**

ENTERED

SEP 16 2021

THE NAMED DEFENDANT WAS NOT SERVED

Circle Reason: Moved, No Contact, Empty Lot, Wrong Address, No Such Address, Employer Refusal, Returned By Attorney, Deceased, Building Demolished, No Registered Agent, Other Listed Below.

Other Reason Not Served

Attempted Service

Date	Time
9-7-21	7:19 A.M./P.M.
9-7-21	8:36 A.M./P.M.
9-8-21	7:00 A.M./P.M.
9-9-21	5:51 A.M./P.M.
9-9-21	12:40 A.M./P.M.
9-10-21	5:18 A.M./P.M.

SERVICE CANNOT BE OBTAINED THIS 10 DAY OF Sep 2021, 5:18 A.M./P.M.

Richard Watson, Sheriff, By: Sgt. Duckworth # 296, Deputy.







IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address: BRANDON JACOB KLAR 375 ALTA DENA COURT UNIVERSITY CITY, MO 63130	
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Other Extraordinary Remedy		

Summons for Personal Service Outside the State of Missouri
(Except Attachment Action)

The State of Missouri to: DAVID LONG Alias: 543 S. DOUGLAS AVENUE BELLEVILLE, IL 62220	ST CLAIR COUNTY, IL
 CITY OF ST LOUIS	<p>You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.</p> <p align="center">August 18, 2021</p> <p align="right">  Clerk </p>
Further Information: _____ Date _____	

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)
 in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one) ☐ the clerk of the court of which affiant is an officer.☐ the judge of the court of which affiant is an officer.☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

See the following page for directions to officer making return on service of summons.

Directions to Officer Making Return on Service of Summons

A copy of the summons and a copy of the motion must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and motion when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and motion and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and motion to the individual personally or by leaving a copy of the summons and motion at the individual's dwelling house or usual place of abode with some person of the family over 15 years of age who permanently resides with the defendant/respondent, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and motion to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and motion to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The officer making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

Service must be made less than 10 days nor more than 30 days from the date the defendant/respondent is to appear in court. The return should be made promptly, and in any event so that it will reach the Missouri court within 30 days after service.

IN THE CIRCUIT COURT FOR THE CITY OF ST. LOUIS
STATE OF MISSOURI

RICHARD WHITE; and
SHERMAN HAWTHORNE

Plaintiffs,

v.

RISING STAR M. B. CHURCH;

ERNEST GARRETT JR.;

CHARLES HALEY;

DAVID L. WHITE

ALPHONSO IVY

LEHMAN A. TURNER, JR.

DAVID LONG

LAMAR E. BREW

GEORGE ROBINSON; and

PETER LEWIS

Defendants.

Case No.: 2122-CC09063

FILED
SEP 21 2021
22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY _____ DEPUTY

ENTERED
SEP 21 2021
CS

REQUEST FOR ALIAS SUMMONS TO ISSUE

COME NOW Plaintiffs, RICHARD WHITE and SHERMAN HAWTHORNE, by and through their undersigned counsel, and requests an ALIAS SUMMONS to issue for service of the summons and Plaintiffs' Petition in this matter upon defendant, DAVID LONG, as follows:

David Long
543 S.Douglas Ave.
Belleville, IL 62220

Dated this 14th day of September, 2021.

SO ORDERED
BY *James M. Montoya*
JUDGE 9-21-2021

Respectfully Submitted,

Klar, Izsak & Stenger, LLC

By: /s/ Brian D. Klar
BRIAN D. KLAR #36430
BRANDON J. KLAR #72884
Attorneys for Plaintiffs
1505 S. Big Bend Blvd.
St. Louis, MO 63117
Tel: (314) 863-1117
Fax: (314) 863-1118
Email: bklar@lawsaintlouis.com
bjklar@lawsaintlouis.com



IN THE 22ND JUDICIAL CIRCUIT, CITY OF ST LOUIS, MISSOURI

Judge or Division: JOAN L MORIARTY	Case Number: 2122-CC09063	
Plaintiff/Petitioner: RICHARD WHITE	Plaintiff's/Petitioner's Attorney/Address: BRANDON JACOB KLAR 1505 SOUTH BIG BEND BLVD ST LOUIS, MO 63117	
vs.		
Defendant/Respondent: ERNEST GARRETT JR	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)
Nature of Suit: CC Other Extraordinary Remedy		

ALIAS Summons for Personal Service Outside the State of Missouri
(Except Attachment Action)

The State of Missouri to: **DAVID LONG**
Alias:
543 S. DOUGLAS AVENUE
BELLEVILLE, IL 62220

COURT SEAL OF



CITY OF ST LOUIS

You are summoned to appear before this court and to file your pleading to the petition, copy of which is attached, and to serve a copy of your pleading upon the attorney for the plaintiff/petitioner at the above address all within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to file your pleading, judgment by default will be taken against you for the relief demanded in this action.

September 23, 2021

Date

Further Information:

Clerk

Officer's or Server's Affidavit of Service

I certify that:

- I am authorized to serve process in civil actions within the state or territory where the above summons was served.
- My official title is _____ of _____ County, _____ (state).
- I have served the above summons by: (check one)
 - ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 - ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 - ☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).
 - ☐ other: _____

Served at _____ (address)

in _____ County, _____ (state), on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Subscribed and sworn to before me this _____ (day) _____ (month) _____ (year).

I am: (check one)

- ☐ the clerk of the court of which affiant is an officer.
- ☐ the judge of the court of which affiant is an officer.
- ☐ authorized to administer oaths in the state in which the affiant served the above summons. (use for out-of-state officer)
- ☐ authorized to administer oaths. (use for court-appointed server)

(Seal)

Signature and Title

Service Fees

Summons \$ _____
 Non Est \$ _____
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

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2122-CC09063 - RICHARD WHITE ET AL V RISING STAR M B CHURCH ET AL (E-CASE)

Case File	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/Execution
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[Click here to eFile on Case](#)Sort Date Entries: ☒ Descending

Display Options:

[Click here to Respond to Selected Documents](#)☐ Ascending

All Entries ▼

- 09/23/2021 ☐ [Alias Summons Issued](#)
Document ID: 21-SMOS-2675, for LONG, DAVID.
- 09/21/2021 ☐ [Alias Summons Requested](#)
Request for alias summons to issue. (see order for details). SO ORDERED: JUDGE JOAN J. MORIARTY, 33057.
- 09/16/2021 ☐ [Summons Returned Non-Est](#)
Document ID - 21-SMOS-2361; Served To - LONG, DAVID; Server - ; Served Date - 10-SEP-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Non-est
- 09/14/2021 ☐ [Alias Summons Requested](#)
Request for Alias Summons to Issue; Electronic Filing Certificate of Service.
Filed By: BRANDON JACOB KLAR
On Behalf Of: RICHARD WHITE, SHERMAN HAWTHORNE
- 09/13/2021 ☐ [Alias Summons Issued](#)
Document ID: 21-SMCC-13035, for LEWIS, PETER.
- 09/01/2021 ☐ **Summons Personally Served**
Document ID - 21-SMCC-12623; Served To - ROBINSON, GEORGE; Server - ; Served Date - 27-AUG-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served
- ☐ **Family Member/Roommate Served**
Document ID - 21-SMCC-12620; Served To - IVY, ALPHONSO; Server - ; Served Date - 27-AUG-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served
- ☐ [Notice of Service](#)
21-SMCC-12623; Electronic Filing Certificate of Service.
- ☐ [Notice of Service](#)
21-SMCC-12620; Electronic Filing Certificate of Service.
- 08/31/2021 ☐ [Notice of Service](#)
21-SMCC-12617; Electronic Filing Certificate of Service.
- ☐ [Notice of Service](#)
21-SMCC-12622; Electronic Filing Certificate of Service.
- ☐ [Alias Summons Requested](#)
Request for Alias Summons to Issue; Electronic Filing Certificate of Service.
Filed By: BRANDON JACOB KLAR

Privacy - Terms

On Behalf Of: RICHARD WHITE, SHERMAN HAWTHORNE

☐ **Summons Personally Served**

Document ID - 21-SMCC-12617; Served To - GARRETT, ERNEST; Server - ; Served Date - 30-AUG-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served

☐ **Family Member/Roommate Served**

Document ID - 21-SMCC-12622; Served To - BREW, LAMAR; Server - ; Served Date - 30-AUG-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Served

08/27/2021 ☐ **Note to Clerk eFiling**

☐ [Notice of Service](#)

21-SMCC-12624; Electronic Filing Certificate of Service.

☐ **Summons Returned Non-Est**

Document ID - 21-SMCC-12624; Served To - LEWIS, PETER; Server - ; Served Date - 27-AUG-21; Served Time - 00:00:00; Service Type - Sheriff Department; Reason Description - Non-est

08/18/2021 ☐ [Memorandum Filed](#)

Memorandum to the Court for Payment of Service Fee; Electronic Filing Certificate of Service.

Filed By: BRANDON JACOB KLAR

On Behalf Of: RICHARD WHITE, SHERMAN HAWTHORNE

☐ [Judge/Clerk - Note](#)

PLEASE FILE ADDITIONAL \$72.00 DOLLARS FOR DEFENDANT DAVID L WHITE AND DEFENDANT LEHMAN A TURNER JR TO BE SERVED BY ST LOUIS CITY SHERIFF'S DEPARTMENT

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: BRIAN DAVID KLAR

On Behalf Of: RICHARD WHITE

☐ [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

Filed By: BRIAN DAVID KLAR

On Behalf Of: SHERMAN HAWTHORNE

☐ [Summ Issd- Circ Pers Serv O/S](#)

Document ID: 21-SMOS-2361, for LONG, DAVID.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12624, for LEWIS, PETER.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12623, for ROBINSON, GEORGE.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12622, for BREW, LAMAR.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12621, for TURNER, LEHMAN A.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12620, for IVY, ALPHONSO.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12619, for WHITE, DAVID L.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12618, for HALEY, CHARLES.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12617, for GARRETT, ERNEST.

☐ [Summons Issued-Circuit](#)

Document ID: 21-SMCC-12616, for RISING STAR M B CHURCH.

08/17/2021 ☐ **Filing Info Sheet eFiling**

Filed By: BRANDON JACOB KLAR

☐ [Pet Filed in Circuit Ct](#)

Petition; Exhibit A.

Filed By: BRANDON JACOB KLAR

On Behalf Of: RICHARD WHITE, SHERMAN HAWTHORNE

☐ **Judge Assigned**